FILED IN
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CLERK LAKE SUPERIOR COURT
45D10 1503 CC 00059

STATE OF INDIANA)
) IN THE LAKE SUPERIOR COURT
COUNTY OF LAKE)

GWINETTE OLIVER,)
)
PLAINTIFF,)
)
vs.) Cause Number:
)
MRS BPO, LLC.,)
DBA MRS ASSOCIATES,)
DEFENDANT.)

COMPLAINT AND DEMAND FOR JURY TRIAL - INDIVIDUAL

Plaintiff, Gwinette Oliver (hereinafter referred to as "Ms. Oliver"), on behalf of herself, by counsel, Michael P. McIlree, for her Complaint against the Defendant, MRS BPO LLC ("MRS"), alleges and state the following:

INTRODUCTION

1. This is an action for damages brought by the Plaintiff, ("Ms. Oliver"), for the Defendant's violations of the Federal FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692, *et seq.* (hereinafter referred to as "FDCPA") which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

JURISDICTION

2. This Court has jurisdiction over the claims in this matter as Plaintiff resides in this jurisdiction and the conduct complained of occurred here.

PARTIES

3. Ms. Oliver is an individual consumer currently residing in Lake County, Indiana.

4. MRS Associates is a collection agency who collects debts nationwide including the State of Indiana.

5. MRS Associates is a debt collector as defined by 15 U.S.C. § 1692a(6). Defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or

asserted to be owed or due another.

FACTUAL ALLEGATIONS

6. Defendant has been attempting to collect from plaintiff an alleged credit card incurred for personal, family or household purposes.

7. On or about August 18, 2014, MRS Associates sent plaintiff the letter attached as **Exhibit A**.

8. The envelope to which the letter was contained is attached as **Exhibit B.**

9. The front of the envelope displayed the account number or reference number which MRS Associates assigned to plaintiff.

10. Defendant's conduct violates the Federal Fair Debt Collection Practices Act, 15 U.S.C. 1692 et al.

11. **EXHIBIT A-B** are printed forms, prepared in a standard manner. They have bar-coded addresses and return addresses, required by the Postal Services for a discounted postage rate when 500 or more similar pieces of mail are sent at once.

COUNT I – FDCPA

12. Plaintiff incorporates paragraphs 1-11.

13. The display of the account number on **Exhibit B** violated 15 U.S.C. §1692f(8). *Douglass v. Convergent Outsourcing*, 765 F.3d 299 (3rd Cir. 2014).

14. Section 1692f provides:

§ 1692f. Unfair practices [Section 808 of P.L.]

A debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: . . .

(8) Using any language or symbol, other than the debt collector's address, on any envelope when communicating with a consumer by use of the mails or by telegram, except that a debt collector may use his business name if such name does not indicate that he is in the debt collection business.

WHEREFORE, the Court should enter judgment in favor of plaintiff and against defendant for:

(1) Statutory damages;

(2) Attorney's fees, litigation expenses and costs of suit; and

(3) Such other and further relief as the Court deems proper.

Respectfully submitted

By ______________________
Michael P. McIlree

VERIFICATION

I declare that the statements contained in the Complaint are true and accurate to the best of my knowledge and belief.

____
Gwinette Oliver, Plaintiff

JURY DEMAND

Plaintiff demands trial by jury.

Michael P. McIlree, #19847-45
Attorney at Law
15 Main St.
Hobart, IN 46342
Tel: (219) 548-1800
Fax: (219) 548-5905
Attorney for Plaintiff

EXHIBIT A

800-957-6312
MRS Associates is a trade name of . . BPO, L.L.C.
[redacted]

This is an attempt to collect a debt and any information obtained will be used for that purpose.
This communication is from a debt collector.

MRS INNOVATIVE SOLUTIONS. REAL RESULTS.

Send Payment/Correspondence to:
MRS Associates
1930 Olney Ave.
Cherry Hill, NJ 08003
800-957-6312

Office Hours :
Monday - Thursday 9am - 9pm ET
Friday 9am - 8pm ET

RE: JPMorgan Chase Bank N.A.
MRS ACCT#: [redacted] **Use only bold numbers when calling**
CLIENT ACCT#: [redacted]
ACCOUNT BALANCE: $749.21

August 18, 2014

Dear GWINETTE OLIVER,

The above referenced client has placed your account with our office for collection. We recognize that sometimes circumstances or events can make it difficult to satisfy your financial obligations.

Resolving a long overdue debt is never easy. Often the hardest part is taking the first step. We are ready to assist you to find a solution that is both fair and reasonable. You may even qualify for a payment arrangement or a settlement that could save you a substantial amount of money!

Payment may be made by calling 800-957-6312, mailing to the above address or by using our online payment website at https://mrspay.webview.com (internet connection required). If you have any questions or wish to discuss other arrangements, you may contact us.

IMPORTANT CONSUMER INFORMATION

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request of this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Sincerely,

MRS Associates

EXHIBIT B

Return Address :
MRS BPO, L.L.C.
1930 OLNEY AVENUE
CHERRY HILL NJ 08003

PRESORT
FIRST-CLASS
U.S. POSTAGE &
FEES PAID
HOV SERVICES

[redacted]
GWINETTE OLIVER
890 W 52ND DR APT L313
MERRILLVILLE IN 46410-1216

MICHAEL A. BROWN
CLERK LAKE CIRCUIT/SUPERIOR COURT
2293 NORTH MAIN STREET
CROWN POINT, INDIANA 46307

ADDRESS SERVICE REQUESTED

SEAL OF THE STATE OF INDIANA 1816

7013 2630 0001 27[illegible] [illegible]

MRS BPO,LLC
c/o Highest Executive Officer
1930 Olney Ave.
Cherry Hill,NJ 08003

MRS BPO, LLC
APR
RECEIVED